IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE SIDE JURISDICTION

Writ Petition No. 5l83 of 2005

Ms Bhairavi B Laanghi. petitioner

vs

The State of Mah and ors.. respondents

Mr R.K.Mendadkar for petitioner

Mr. C.R.Sonawane AGP for respondents

CORAM;A.P.SHAH & D.Y.CHANDRACHUD JJ.

Dated l8.8.2005

P C:

Heard the learned counsel for the parties. Perused the record including the order of Scrutiny Committee. The case of the petitioner was referred to the Scrutiny Committee for verification of her tribe claim as belonging to Mahadeo Koli, Scheduled Tribe. In support of her claim the petitioner has furnished her primary school leaving certificate as well as her father’s primary school leaving certificate wherein the case is mentioned as Mahadeo Koli. However, on inquiry by the vigilance cell, it was revealed from the original school leaving register that

the caste of the petitioner as well as her father was recorded as Hindu Koli. It appears that in the school register the word "Mahadeo" has been subsequently inserted in different ink and in different handwriting between the words "Hindu" and "Koli" with a view to gain concession of Mahadeo Koli S.T. It is also revealed in the inquiry that the caste of the petitioner's father's sister was also recorded as Hindu Koli in the school register. Koli is a caste which is included in the list of Other Backward Classes and Special Backward Classes of Maharashtra State whereas Mahadeo Koli is a tribe included in the list of Scheduled Tribes at Srl No.9. Koli and Mahadeo Koli are altogether different communities having no socio-cultural and ethnic relations whatsoever with each other. The vigilance cell has also reported that the information furnished by the petitioner relating to trait, characteristics and customs of the community is not associated with Mahadeo Koli Scheduled Tribe. We therefore do not find any ground to interfere with the findings of fact recorded by the Scrutiny Committee. Petition is dismissed.